

LEGISLATIVE COUNSEL
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97TH CONGRESS
1ST SESSION

H. R. 387

To protect the confidentiality of the identities of certain employees of the Central Intelligence Agency.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1981

Mr. NEAL introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

A BILL

To protect the confidentiality of the identities of certain employees of the Central Intelligence Agency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) whoever, being or having been in authorized posses-
4 sion or control of any information which identifies or which
5 can lead to the identification of any individual or entity as
6 being or having been an employee or agent of, or having been
7 associated with, the Central Intelligence Agency and such
8 information has been specifically designated by an Executive
9 order of the President as requiring a specific degree of pro-

1 tion, willfully discloses such information to any person not
2 authorized to receive such information shall be fined not more
3 than \$10,000 or imprisoned not more than ten years, or both.

4 (b) Prosecution under subsection (a) shall be barred if
5 any information described in subsection (a) is communicated
6 to—

7 (1) a regularly constituted committee or subcom-
8 mittee of the Senate or the House of Representatives,
9 or any joint committee of the Congress, which has
10 oversight jurisdiction of intelligence activities of the
11 United States.

12 (2) a judge of any United States district court
13 pursuant to an order of such court issued upon a show-
14 ing that production of such information is reasonably
15 needed for any judicial proceeding, and

16 (3) any Federal law enforcement officer, if appli-
17 cation is made by the Attorney General of the United
18 States, or any Assistant Attorney General specifically
19 designated by the Attorney General, to the judge of
20 any United States district court and such judge (A)
21 makes a finding that the disclosure of any information
22 described in the first section is essential to the investi-
23 gation of a possible crime, and (B) issues an order
24 authorizing the disclosure of such information to such
25 law enforcement officer.

1 SEC. 2. As used in this Act, the term "authorized"
2 means the authority to have access to, to receive, to possess,
3 or to control information as a result of the provisions of a
4 Federal statute or an Executive order of the President.

5 SEC. 3. A person not authorized to receive information
6 described in the first section of this Act shall not be subject to
7 prosecution as an accomplice within the meaning of section 2
8 or 3 of title 18. United States Code, or to prosecution for
9 conspiracy to commit an offense described in the first section
10 of this Act.

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